
By: **Senator Munson**
Introduced and read first time: January 31, 2003
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Employees' Retirement System - Retirement Benefits - Board of License**
3 **Commissioners of Washington County**

4 FOR the purpose of allowing certain retirees to receive service credit in the
5 Employees' Retirement System for a certain period of time; allowing certain
6 retirees to receive a normal service retirement benefit from the Employees'
7 Retirement System under certain circumstances; requiring certain retirees to
8 repay to the Board of Trustees of the State Retirement and Pension System
9 certain retirement benefits received from the Employees' Retirement System;
10 requiring certain retirees to complete certain claims; requiring the Board of
11 License Commissioners of Washington County to pay a certain amount of money
12 to the Board of Trustees for the State Retirement and Pension System; requiring
13 certain retirees of the Employees' Retirement System to pay a certain amount of
14 money to the Board of Trustees of the State Retirement and Pension System;
15 and generally relating to retirement benefits for retirees serving on the Board of
16 License Commissioners of Washington County.

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That:

19 (a) This section applies to any retiree of the Employees' Retirement System
20 who:

21 (1) was employed by the Washington County Board of Elections on or
22 after April 1, 1976;

23 (2) retired from the Washington County Board of Elections and began
24 receiving a normal service retirement benefit on or before December 31, 1993;

25 (3) became employed by the Board of License Commissioners of
26 Washington County on or before December 31, 1994; and

27 (4) began making contributions to the Employees' Pension System on or
28 before July 31, 2000 and ceased making contributions to the Employees' Pension
29 System on or before April 30, 2001.

1 (b) Any retiree described under subsection (a) of this section, who pays to the
2 Board of Trustees in a single payment, the total amount of retirement benefits the
3 retiree received from the Employees' Retirement System, plus regular interest
4 through the date of repayment:

5 (1) may receive creditable service in the Employees' Retirement System
6 beginning on the date the retiree became employed by the Board of License
7 Commissioners of Washington County and ceasing on the date the retiree ends
8 employment with the Board of License Commissioners of Washington County; and

9 (2) is entitled to receive a normal service retirement benefit under §
10 22-401 of the State Personnel and Pensions Article of the Code upon ceasing
11 employment with the Board of License Commissioners of Washington County, based
12 on the retiree's employment service with the City of Hagerstown and the Board of
13 License Commissioners of Washington County.

14 (c) To receive service credit under subsection (b)(1) of this section, a retiree
15 shall complete a claim for the service credit and file it with the Board of Trustees on
16 a form the Board of Trustees provides.

17 (d) (1) On receiving a claim for service credit for service with the Board of
18 License Commissioners of Washington County, the Board of Trustees shall:

19 (i) verify the service and the amount of service credit to which the
20 retiree is entitled;

21 (ii) compute the amount due from the Board of License
22 Commissioners of Washington County because of the claim; and

23 (iii) submit a statement to the Board of License Commissioners of
24 Washington County for that amount.

25 (2) The computation made under paragraph (1)(ii) of this subsection
26 shall be based on the compensation actually received by the retiree during the period
27 for which service credit is to be granted.

28 (3) Upon receiving a statement from the Board of Trustees, the Board of
29 License Commissioners of Washington County shall pay the amount immediately to
30 the Board of Trustees or place it in the next budget for prompt payment when that
31 budget becomes effective.

32 (e) (1) In addition to the repayment of funds described in subsection (b) of
33 this section, a retiree who receives service credit under subsection (b)(1) of this
34 section:

35 (i) shall pay to the Board of Trustees in a single payment, within
36 the period determined by the Board of Trustees, the member contributions, plus
37 regular interest, that the retiree would have paid had the retiree been a member of
38 the Employees' Retirement System; or

1 (ii) subject to paragraph (2) of this subsection, may waive the
2 payment of any part of the member contributions plus regular interest.

3 (2) If a retiree who receives credit under this section waives payment of
4 any contributions or interest, the Board of Trustees shall reduce the retiree's
5 allowance by the actuarial equivalent of those contributions, plus interest to the date
6 of retirement, that the retiree had not paid.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2003.